

FACT SHEET

REVISED SCHEDULE FOR SUBMITTING EXCEPTIONAL EVENT DATA TO SUPPORT INITIAL AREA DESIGNATIONS FOR THE 2008 OZONE NAAQS: DIRECT FINAL RULE AND PROPOSAL

Action

- On September 30 2008, the Environmental Protection Agency (EPA) amended the March 2007 Exceptional Events Rule to include specific dates by which States must submit to EPA exceptional event claims. The rule applies to claims that may affect designations under the 2008 National Ambient Air Quality Standards for ground-level ozone.
- Exceptional events are unusual or naturally occurring events that can affect air quality but are not reasonably controllable using techniques that tribal, state or local air agencies may implement in order to attain and maintain the National Ambient Air Quality Standards.
- The purpose of this rule is to provide states with as much lead time as practical to identify and submit supporting documentation for exceptional events that may affect ozone designations.
- The rule amends the existing Exceptional Events rule by providing a revised schedule. The new schedule provides that air quality data affected by exceptional events for years 2005-2007 must be flagged in the Agency's Air Quality Subsystem database not later than December 31, 2008, with detailed supporting documentation provided to the Agency not later than March 12, 2009.
- Also, if a state intends for 2008 exceptional event data to be considered in ozone designations, 2008 data must be flagged and detailed event documentation submitted not later than March 12, 2009. If a state intends 2009 data to be considered in ozone designation, 2009 data must be flagged and detailed event documentation submitted not later than January 2, 2010.
- EPA expects this to be a noncontroversial action and is issuing these amendments through a direct final rule with a parallel proposal. If EPA does not receive any adverse comment on this action for 45 days after publication in the Federal Register, this rule will become effective 75 days from publication.

BACKGROUND

- The Exceptional Events Rule (Treatment of Data Influenced by Exceptional Events, March 22, 2007) provides a general schedule for flagging monitored data in the Air Quality Subsystem Database affected by exceptional events and submitting final documentation to support the claim.
- The Agency reserved the authority in the Exceptional Events rule to provide revised schedules when new NAAQS are finalized if the general schedule does not allow sufficient time to flag and document data prior to statutory deadlines for related rulemakings.
- EPA revised the ozone standard on March 12, 2008. The new standard of 0.075 ppb replaces the prior standard of 0.08. The Clean Air Act prescribes that EPA complete initial area designations (attainment, nonattainment, unclassifiable) by March 12, 2010.

FOR MORE INFORMATION

- To download a copy of the notice, go to EPA's Worldwide Web site at: <http://www.epa.gov/ttn/oarpg/t1pfpr.html>
- Today's proposed rule and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
- The Public Reading Room is located at EPA Headquarters, room number 3334 in the EPA West Building, 1301 Constitution Avenue, NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.
- Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
- Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2005-0159.

HOW TO COMMENT

- Comments should be identified by Docket ID No. EPA-HQ-OAR-2005-0159 and submitted by one of the following methods:
 - Federal eRulemaking Portal (<http://www.regulations.gov>)
 - e-mail (a-and-r-docket@epa.gov)
 - Mail (EPA Docket Center, Environmental Protection Agency, Mail code 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460), or
 - Hand delivery (EPA Docket Center, Environmental Protection Agency, Room 3334, 1301 Constitution Avenue, NW, Washington, DC).

FOR MORE INFORMATION

- For more information, call Thomas E. Link at EPA's Office of Air Quality Planning and Standards, (919) 541-5456 or send an email to link.tom@epa.gov.